

PROFESSIONAL ENGINEERS SECTION MEETING

MINUTES

The Professional Engineers Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on November 6, 2002, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Richard N. Davenport
Stanley C. Harris

Board Member Ronald G. Helton was not present for the meeting.

Staff present for all or part of the meeting were:

Karen W. O'Neal, Deputy Director of Regulatory Programs
Mark N. Courtney, Assistant Director
Marian H. Brooks, Regulatory Board Administrator
Trisha L. Henshaw, Administrative Assistant
Bonnie Rhea Adams, Assistant Director of Post Adjudication
Susan Garbini, Legal Assistant

No representative from the Office of the Attorney General was present.

Finding a quorum of the Section present, Mr. Davenport called the meeting to order at 9:21 a.m.

Call to Order

Mr. Harris moved to approve the agenda as written. Mr. Davenport seconded the motion which was unanimously approved by members Davenport and Harris.

**Approval of
Agenda**

Mr. Harris moved to approve the minutes from the August 14, 2002, meeting as written. Mr. Davenport seconded the motion which was unanimously approved by members Davenport and Harris.

**Approval of
Minutes**

Public Comment Period – No comments were made to the Section members.

Public Comment

David B. Gammon spoke to the Section members regarding File Number 2003-00744. Mr. Gammon indicated that the matter before the Board is very important to him and that he concurs with the summary and recommendation of the presiding Board member. Mr. Gammon stated that he had to leave school in 1997, just before completing three of his final courses, due to a family emergency. Mr. Gammon stated that the incomplete grades he received in the final three classes were only because he was unable to complete the final examination and/or final project for these classes. Mr. Gammon indicated that he did participate in graduation ceremonies, even with the incomplete grades, because he had every intention of going back and completing the final assignments. Subsequently, Mr. Gammon accepted a position so that he could assist his family financially during a time of need; therefore, he was not able to return to school and complete the final assignments. Mr. Gammon indicated that since that time he has acquired qualifying, progressive engineering experience. Mr. Gammon asked that the Section to the full Board that his application be accepted. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Harris was not present during the presentation.

David B.
Gammon, File
Number 2003-
00744

Ashley Beuttel, counsel to Dewey L. Bocook in the matter of File Number 2002-03393, spoke to the Section on behalf of Mr. Bocook. Ms. Beuttel stated that Mr. Bocook agrees with the summary and recommendation of the presiding Board member. Further, Mr. Bocook, through Ms. Beuttel, requested that the Section recommend to the Board to accept the summary and recommendation of the presiding Board member. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Harris was not present during the presentation.

Ashley Beuttel,
Counsel in the
Matter of File
Number 2002-
03393, Dewey L.
Bocook

No other respondent, counsel for respondent or other representative, or participant without an appointment was present to speak before the Section.

Call for
Respondent

In reference to File Number 2003-00744, David B. Gammon, the Section member reviewed the record from the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and summary and recommendation of the presiding Board member, as well as the presentation given by Mr. Gammon. Mr. Davenport recommended that the Board accept the summary and recommendation of the presiding Board member and approve Mr. Gammon's application for the April 2003 Principles and Practice of Engineering Examination. Mr. Gammon provided information that indicated that he had completed 136 hours towards his Bachelor of Science degree. Due to a personal hardship, he

File Number
2003-00744,
David B.
Gammon

was unable to complete three courses, one English, one math, and one steel design. The course work had been completed, but not a final project or examination. Additionally, Mr. Davenport requested that Mr. Gammon submit verification of additional experience through the end of 2002. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Harris was not present during the discussion.

In regards to **File Number 2003-00525, Shahid H. Khan**, the Section member reviewed the record from the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and summary and recommendation of the presiding Board member. Mr. Davenport recommended that the Board accept the summary as to the facts but reject the recommendation. No equivalency between the Canadian Professional Practice Examination and the National Council of Examiners for Engineering and Surveying (NCEES) Fundamentals of Engineering (FE) nor the Principles and Practice of Engineering Examination has been established. Additionally, Mr. Khan does not have the necessary number of years of approved experience to waive the FE examination; therefore, Mr. Davenport recommended denial of Mr. Khan's comity application. As it appears that Mr. Khan meets the requirements for the FE examination, Mr. Davenport recommended to approve Mr. Khan's application for the FE examination. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Harris was not present during the discussion.

File Number
2003-00525,
Shahid H. Khan

In reference to **File Number 2002-03393, Dewey L. Bocook**, the Section member was provided with the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and summary and recommendation of the presiding Board member, as well as the presentation by Ms. Beuttel. Mr. Davenport recommended that the Board accept the summary and recommendation of the presiding Board member and close the file with a finding of no violation. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Harris was not present during the discussion.

File Number
2002-03393,
Dewey L.
Bocook

The Section members were provided with information from Mr. Courtney and Ms. O'Neal regarding the review of disciplinary and application files at Section meetings. Mr. Courtney indicated that due to Enforcement issues related to scheduling Informal Fact-Finding Conferences, budget constraints, and statutory requirements, the Sections of the Board need to consider eliminating review of disciplinary and application files at the Section meetings. Mr. Davenport and Mr. Harris expressed several concerns regarding this issue.

Discussion of
Processing of
Disciplinary and
Application Files

As requested at the last Section meeting, the Section members were provided with a comparison of criteria for accrediting engineering technology programs as established by the Accreditation Board for Engineering Technology (ABET). A comparison of the pre-2001, 2001-2002, and 2002-2003 shows that the general course requirements have not changed; therefore, no change needs to be made to the criteria the Board uses to evaluate candidates applying under 18 VAC 10-20-190.5 and 18 VAC 10-20-210.4 of the Board's regulations.

**Review of ABET
TAC Criteria**

The Section members were provided with information regarding the United States Council for International Engineering Practice (USCIEP) International Registry. This new program is offered by USCIEP to U.S. professional engineers to enhance their ability to obtain practice privileges in other countries. As awareness about the registry grows, the Board may receive questions from many sources regarding the registry. To assist the Board, USCIEP provided a list of frequently asked questions to help the Board in responding to inquiries regarding this program.

**Discussion of
USCIEP
International
Registry**

Mr. Courtney discussed a letter received from the Chair of the American Society of Civil Engineers (ASCE) Task Committee on Academic Prerequisites for Professional Practice (TCAP³). This committee is responsible for developing, organizing, and executing a detailed plan for the concept of a Master's degree or Equivalent (MOE) as a prerequisite for licensure and the practice of civil engineering at a professional level. The committee provided a presentation at the 2002 NCEES Annual Meeting and provided a copy for the Board's review.

Other Business

The Section members were provided with information regarding nominations for NCEES National Awards. After discussion, the Section members agreed by consensus to nominate Mr. Sirine, former Land Surveyors Section member, for the Distinguished Service Award.

The Section members were also provided with information regarding a candidate for the NCEES Northeast Zone Vice President. The candidate, Craig N. Musselman, is a member of the New Hampshire PE Board.

Mr. Courtney provided information regarding the 2003 Board Presidents Assembly to be held February 13-15, 2003, in Girdwood, Alaska. Mr. Davenport indicated that he would like to attend if his schedule permits.

Mr. Courtney notified the Section members that Ms. Rowley is no longer counsel to the Board, as she has left the Office of the Attorney General. Ms. Ellen Coates is the new counsel to the Board.

Mr. Courtney indicated that the draft regulations prepared by the Regulatory Review Committee are not available for review during the current cycle of Section meetings; therefore, the draft regulations will be reviewed by the Sections during the first cycle of meetings in 2003.

Mr. Harris provided information from Mr. Lowe regarding the Engineering Management degree program at Virginia Tech.

Conflict of Interest forms were completed by all members present and are attached herewith.

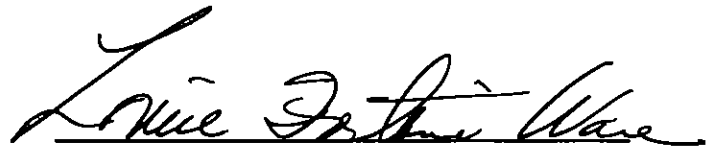
Conflict of
Interest Forms

There being no further business, the meeting was adjourned at 10:30 a.m.

Adjourn



Richard N. Davenport, Chair



Louise Fontaine Ware, Secretary

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Custodian of Records